

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	Case No. 1:20-CR-143
v.)	
)	Honorable T.S. Ellis, III
ZACKARY ELLIS SANDERS,)	
)	Trial: November 17, 2020
<i>Defendant.</i>)	
_____)	

GOVERNMENT’S RULE 16(A)(1)(G) NOTICE

The United States, through G. Zachary Terwilliger, U.S. Attorney for the Eastern District of Virginia, William G. Clayman, Special Assistant U.S. Attorney (LT), and Jay V. Prabhu, Assistant United States Attorney, notices its intent under Federal Rule of Criminal Procedure 16(a)(1)(G) to introduce expert testimony in the defendant’s trial to commence on November 17, 2020.

INTRODUCTION

The United States may call as witnesses at trial Federal Bureau of Investigation (“FBI”) Special Agents Christopher Ford and Andrew Kochy and FBI Information Technology Specialist-Forensic Examiner (“ITS-FE”) Daniel Iannotti. These witnesses will testify regarding their specialized knowledge of the imaging and forensic examination of computers and digital media. Generally, the witnesses will be asked to explain their respective training and background, the nature of the examinations they conducted in this case, and the methods and tools they used to assist in their examinations. The government submits that these witnesses will testify in the nature of fact witnesses, explaining how they located and/or preserved certain evidence from the devices and evidence they examined. Nevertheless, out of an abundance of

caution, the government notices these witnesses as experts. These witnesses' qualifications, along with their review and analyses of relevant reports, facts, and evidence, as well as written findings, conclusions, and opinions, set forth the bases of their expected testimony, as described more fully below and in the attached exhibits.¹

I. Special Agent Christopher Ford

Special Agent Ford has been with the FBI since May 2016. From May 2016 to September 2020, Special Agent Ford was a member of the Washington Field Office's Child Exploitation and Human Trafficking Task Force. In that role, he conducted investigations involving various child exploitation offenses, including child sex trafficking and child-pornography-related crimes. Special Agent Ford is currently assigned to the FBI's Child Exploitation Operational Unit. In this role, he investigates violent crimes committed against children, with a specific focus on extraterritorial federal child exploitation crimes. Before joining the FBI, Special Agent Ford worked as a software engineer and developer at Deloitte Consulting and an information systems security engineer and software engineer at Booz Allen Hamilton. Special Agent Ford has a Bachelor's degree in computer information technology and a Master's degrees in information technology. Special Agent Ford has also been certified by the FBI as a Computer Analysis Response Team ("CART") technician and a digital extraction technician, is a Cellebrite Certified Operator and Cellebrite Certified Physical Analyst, and has received training in computer forensics, as reflected in his curriculum vitae attached as Exhibit 1.

Special Agent Ford is expected to testify about the methods he used to extract data from and examine the following relevant devices that the FBI obtained in this case:

1. A Sandisk Cruzer Edge thumb drive (1B1) seized from the defendant's bedroom;

¹ The attachments will be disclosed directly to defense counsel at the time of filing and not filed

2. An HP Elite Book 755 laptop (1B2) seized from the defendant's bedroom;
3. A Lexar thumb drive (1B3) seized from the defendant's bedroom;
4. An HP laptop (S/N: 5CH1262Y5Y) (1B5) seized from the defendant's bedroom;
and
5. An HP laptop (S/N: CNF8255WH5) (1B6) seized from the defendant's bedroom.

Special Agent Ford is expected to testify about his technical and specialized knowledge regarding the forensic imaging and examination of computers and digital media, including the process and purpose of creating a forensic image, the process and purpose of performing a forensic examination, the methods and software he used to image and conduct examinations of the above devices, and the results of his examination, including examples of child pornography images and videos that were recovered from the above devices, the forensic data associated with these files, and evidence of the defendant's use and ownership of these devices.

Special Agent Ford is also expected to testify about his examination and analysis of the data extracted by Special Agent Kochy and ITS-FE Iannotti from the defendant's Apple iPads and Apple iPhone, as described below. Specifically, Special Agent Ford is expected to testify about his review of the extracted and processed data obtained from the defendant's Apple iPad (S/N: DMPHM3K7DVGF) (1B22), Apple iPad (S/N: DMPVGGCPHDDV; IMEI: 355816082188293) (1B19), and Apple iPhone (S/N: C39VJ0XDJCL6; IMEI: 356726080323900) (1B27). Special Agent Ford is also expected to testify about the evidence he found related to this case through his review of this data, including the child pornography files and online conversations the defendant had with MINOR VICTIMS 1, 2, 3, 4, 5, and 6 referenced in the indictment. Special Agent Ford is also expected to testify regarding his review

with the Court.

of other data and metadata (including location data) on these devices that is evidence of the defendant's use and ownership of the devices. Special Agent Ford may also testify regarding his experience with child pornography computer forensics, including his familiarity with the names of child pornography series and child-pornography-related terminology that he has encountered before.

II. Special Agent Andrew Kochy

The United States may also call as a witness Special Agent Andrew Kochy, who is a CART Special Agent at the FBI Washington Field Office's Northern Virginia Resident Agency. Special Agent Kochy has been with the FBI in various roles since November 2014, including as a Supervisory Special Agent with the Asia Cyber Operations Unit 2 and a Supervisory Special Agent with the Technical Operations Squad. Since April 2018, he has served as a Special Agent and Supervisory Special Agent with CART, where he conducts forensic examinations of digital devices and processes digital forensic evidence. Special Agent Kochy has experience in analyzing metadata and other forensic artifacts contained on digital devices. Special Agent Kochy has reviewed and analyzed such data from numerous digital devices to assist in investigations. Special Agent Kochy has a Bachelor's degree in electrical engineering and has received training and certification in both computer and mobile forensics, as reflected in his curriculum vitae attached as Exhibit 2.

Special Agent Kochy is expected to testify about the process he used to extract data from and examine the following relevant device that the FBI obtained in this case:

1. An Apple iPad (S/N: DMPHM3K7DVGF) (1B22) seized from the defendant's bedroom.

The government expects Special Agent Kochy to testify about his technical and specialized knowledge regarding forensic tools and forensic examinations, the process and purpose of forensically examining digital devices, and the process and forensic tools he used to obtain a full file system extraction of the data from the above Apple iPad. Special Agent Kochy is also expected to testify about processing the data extracted from this device and the forensic tools he used to process this data to make it more readily comprehensible. The data contained in this extraction, regarding which Special Kochy may testify, includes images, videos, associated metadata (including location data), and chat conversations, among other things.

III. ITS-FE Daniel Iannotti

The United States may also call as a witness ITS-FE Daniel Iannotti, who has worked as an ITS-FE at FBI CART since October 2016. In this role, ITS-FE Iannotti conducts digital forensic examinations of electronic media, participates in search and seizure operations involving digital evidence, and teaches digital forensic concepts and tools to trainees. ITS-FE Iannotti also has specialized experience in analyzing metadata and other forensic artifacts contained on digital devices. ITS-FE Iannotti has reviewed and analyzed such data from numerous digital devices to assist in investigations. ITS-FE Iannotti has a Bachelor's degree in computer engineering and a Master's degree in homeland security, and has received training and certification in computer and mobile forensics, as reflected in his curriculum vitae attached as Exhibit 3.

ITS-FE Iannotti is expected to testify about the processes he used to extract data from and examine the following relevant devices that the FBI obtained in this case:

1. An Apple iPad (S/N: DMPVGGCPHDDV; IMEI: 355816082188293) (1B19) seized from the defendant's bedroom; and

2. An Apple iPhone (S/N: C39VJ0XDJCL6; IMEI: 356726080323900) (1B27) that the defendant was carrying on his person during the search of his home.

The government expects ITS-FE Iannotti to testify about his technical and specialized knowledge regarding forensic tools and forensic examinations, the process and purpose of forensically examining digital devices, and the process and forensic tools he used to obtain a full file system extraction of the data from the above Apple iPad and Apple iPhone. ITS-FE Iannotti is also expected to testify about processing the data extracted from these devices and the forensic tools he used to process this data to make it more readily comprehensible. The data contained in this extraction, regarding which ITS-FE Iannotti may testify, includes images, videos, associated metadata (including location data), and chat conversations, among other things.

Forensic reports, videos, and images have been made available to the defense. These items have been maintained in the government's custody because they contain child pornography, but the United States will continue to make them available for review.

Respectfully submitted,

G. Zachary Terwilliger
United States Attorney

Date: November 2, 2020

By: /s/
William G. Clayman
Special Assistant United States Attorney (LT)
Jay V. Prabhu
Assistant United States Attorney
U.S. Attorney's Office
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel: 703-299-3700
Fax: 703-299-3981
Email: william.g.clayman@usdoj.gov

